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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE SEAGATE TECHNOLOGY LLC
LITIGATION

No. 3:16-cv-00523-JCS

ADMINISTRATIVE MOTION TO FILE
UNDER SEAL AND REQUEST FOR
EXTENSION OF PAGE LIMITS

1 Plaintiffs bring this administrative motion pursuant to Civil Local Rule 7-11 and 79-5, to file
 2 under seal the following documents:

- 3 1. Portions of Plaintiffs' Renewed Motion for Class Certification (Motion);
- 4 2. Exhibits 2-3, 7-11, 13-14, 19-46, 48, 50-56, 61-62 and 64-66 to the Declaration of Shana
 5 E. Scarlett in Support of Plaintiffs' Renewed Motion for Class Certification (Scarlett
 6 Declaration); and
- 7 3. Corrected Declaration of Stefan Boedeker in Support of Plaintiffs' Motion for Class
 8 Certification (Boedeker Declaration), dated November 20, 2017.

9 because they contain information designated by defendants as "Confidential," or "Highly
 10 Confidential – Attorneys' Eyes Only" under the Stipulated Protective Order (Protective Order) in
 11 place in this action.¹ The Protective Order in this action requires that information designated as
 12 confidential "qualify for protection under Federal Rule of Civil Procedure 26(c)."² In turn, under
 13 Rule 26(c), a Court may require "that a trade secret or other confidential research, development, or
 14 commercial information not be revealed or be revealed only in a specified way."³

15 Some of these documents have been submitted to the Court before, in prior filings. This
 16 Court previously ordered Seagate to show "particularized compelling reasons to seal documents."⁴
 17 Seagate submitted its renewed motion to seal on July 26, 2018.⁵ As the table below demonstrates,
 18 some of these documents have been re-filed. The Court has not yet issued its ruling regarding these
 19 documents, and plaintiffs hereby renew their objections.

Renewed Ex. No.	Prior Ex. No.	Bates No.
Exhibit 40	63	FED SEAG0071790
Exhibit 41	66	FED SEAG0071982
Exhibit 42	67	FED SEAG0071996

23 ¹ Stipulated Protective Order, July 8, 2016, ECF No. 61.

24 ² *Id.*, ¶ 2.4.

25 ³ Fed. R. Civ. P. 26(c)(1)(G).

26 ⁴ Order Denying Plaintiffs' Motion for Class Certification, July 5, 2018, ECF No. 182, citing
 27 *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1179-80 (9th Cir. 2006); *In re Google Inc. Gmail Litig.*, No. 13-MD-02430-LHK, 2014 WL 10537440, at *3-4 (N.D. Cal. Aug. 6, 2014).

28 ⁵ Seagate Technology LLC's Consolidated Administrative Motion to Seal Certain Documents or
 Portions Thereof Filed in Connection with Plaintiffs' Motion for Class Certification, July 26, 2018,
 ECF No. 184.

Renewed Ex. No.	Prior Ex. No.	Bates No.
Exhibit 43	22	FED SEAG0057214
Exhibit 44	23	FED SEAG0002673
Exhibit 46	24	FED SEAG0024743

The Court recognized that this case involves the rights of thousands of consumers across the country – people who should have the ability to see the issues being litigated. Seagate has not demonstrated that there are “particularized compelling reasons to seal documents.” Rather, Seagate seeks to seal documents to prevent corporate embarrassment to Seagate based on evidence or perception that its products did not perform well.⁶

* * *

REQUEST FOR EXTENSION OF PAGE LIMITS

Plaintiffs hereby move for leave to file three additional pages – a memorandum of points and authorities totaling twenty-eight pages in length in support of plaintiffs’ renewed motion for class certification. Under the local rules, plaintiffs’ motion is limited to twenty-five pages. Under Local Rule 7-11, however, a party may move for miscellaneous administrative relief, including a motion “to exceed otherwise applicable page limitations.” Accordingly, Plaintiffs move for an order permitting it to exceed the page limit by three pages. This minor extension in page limits is necessary given the volume of evidence submitted with the renewed motion, in addition to the discussion of the eight state’s laws.

Plaintiffs sought a stipulation from defendants, which Seagate declined. Plaintiffs originally sought an extension of ten pages to the twenty-five page limit. Seagate indicated the extension of pages would only be granted in exchange for an extension in their time to oppose the motion by ***more than a month.***⁷ Given the lengthy schedule already in place for the renewed motion for class certification, plaintiffs declined to agree to the extension of time. Respectfully, however, plaintiffs

⁶ See, e.g. Declaration of Sek Nam “Allen” Ng in Support of Seagate Technology LLC’s Consolidated Administrative Motion to Seal Certain Documents or Portions Thereof Filed in Connection with Plaintiffs’ Motion for Class Certification, July 26, 2018, ECF No. 184-1 (giving no reason to seal Ex. 67 other than a description of the document).

⁷ Declaration of Shana E. Scarlett in Support of Plaintiffs’ Renewed Motion for Class Certification, ¶ 2, concurrently filed herewith.

1 request that this Court grant the requested page extension – a minimal extension over what is
2 permitted by the local rules.

3 DATED: October 15, 2018

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